

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

| | | |
|----------------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, |) | No. 13-03042-01-CR-S-DGK |
| |) | |
| Plaintiff, |) | COUNT 1 |
| |) | 18 U.S.C. § 922(g)(1) and 924(e) |
| v. |) | NLT 15 Years Imprisonment |
| |) | NMT \$250,000 Fine |
| JAMES ROY JACOBY, |) | NMT 5 Years Supervised Release |
| [DOB: 02/03/1983] |) | Class A Felony |
| |) | |
| Defendant. |) | COUNT 2 |
| |) | 18 U.S.C. § 922(a)(6) |
| |) | NMT 10 Years Imprisonment |
| |) | NMT \$250,000 Fine |
| |) | NMT 3 Years Supervised Release |
| |) | Class C Felony |
| |) | |
| |) | \$100 Special Assessment (Each Count) |

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

On or about January 15, 2013, in Laclede County, in the Western District of Missouri, the defendant, **JAMES ROY JACOBY**, having three previous convictions for a violent felony or a serious drug offense, or both, committed on occasions different from one another, knowingly possessed, in and affecting interstate commerce, a firearm, to wit: a Remington Model 31 16-gauge shotgun, serial number 507106, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

COUNT 2

On or about February 1, 2013, in Laclede County, in the Western District of Missouri, the defendant, **JAMES ROY JACOBY**, in connection with the attempted acquisition of a firearm, to wit: a Remington Model 31 16-gauge shotgun, serial number 507106, from a licensed firearms dealer, knowingly made a false and fictitious written statement, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such acquisition of the said firearm to the defendant, in that the defendant represented that he had not been convicted in any court of a felony, or any other crime, for which he could have been imprisoned for more than one year, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

A TRUE BILL.

/s/ _____
FOREPERSON OF THE GRAND JURY

/s/ *Timothy A. Garrison* _____
TIMOTHY A. GARRISON
Assistant United States Attorney